

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re WELLS FARGO RESIDENTIAL  
MORTGAGE LENDING DISCRIMINATION  
LITIGATION,

No. M: 08-md-01930 MMC (NC)

**ORDER RE DISCOVERY  
PROCEDURES**

This Document Relates To:

ALL ACTIONS.

TO ALL PARTIES AND COUNSEL OF RECORD:

This case was re-referred to Magistrate Judge Nathanael Cousins. The Court's schedule and answers to frequently asked scheduling questions are posted on the District Court's website, <http://www.cand.uscourts.gov/>. Any scheduling issues should be directed to Magistrate Judge Cousins' Courtroom Deputy Lili Harrell at [Lili\\_Harrell@cand.uscourts.gov](mailto:Lili_Harrell@cand.uscourts.gov), 415.522.2039, to determine whether it is possible to reschedule the conference.

Discovery motions are heard on Magistrate Judge Cousins' civil calendar on Wednesday mornings at 9:00 a.m.

1           1. Discovery motions may be addressed to the Court in three ways:

2                   (1) A motion may be noticed for hearing in not less than 35 days under Civil  
3 L.R. 7-2.

4                   (2) Any party may seek an order to shorten or enlarge time under Civil L.R.  
5 6-3.

6                   (3) In emergencies during discovery events, the Court is available for phone  
7 consultation (415.522.2112) as set forth in Civil L.R. 37-1(b).

8           2. In the event a discovery dispute arises, counsel (of if pro se, the party) seeking  
9 discovery or a protective order shall confer in good faith with opposing counsel (or pro se  
10 party) in an effort to resolve the dispute without court action, as required by Fed. R. Civ. P.  
11 37 and Civil L.R. 37-1(a). A declaration setting forth these meet and confer efforts and the  
12 final positions of each party shall be included in the moving papers. The Court will not  
13 consider discovery motions unless the moving party has complied with Fed. R. Civ. P. 37  
14 and Civil L.R. 37-1(a).

15           3. Motions to compel fact discovery must be filed within the time limits contained  
16 in Civil L.R. 26-2. Motions to compel expert discovery must be filed within the time limits  
17 contained in Civil L.R. 26-2.

18           4. Motions for sanctions shall be filed by separate motion in accordance with Fed.  
19 R. Civ. P. 37 and Civil L.R. 37-3. The parties shall comply with their meet and confer  
20 obligations under Civil L.R. 37-1(a). Parties who refuse to meet and confer will be subject to  
21 sanctions under Civil L.R. 37-3.

22           5. All filings of documents relating to motions referred to Magistrate Judge  
23 Cousins shall list the civil case number and the District Court Judge's initials followed by the  
24 designation "(NC)". At the time of filing of original papers with the Clerk's Office, the  
25 parties are required to submit two copies of each document, one of which shall be designated  
26 "NC Chambers Copy". If documents are filed electronically, a paper chambers copy of each  
27 electronically filed document must be delivered to the Court and addressed to Magistrate  
28 Judge Cousins no later than noon on the day after e-filing.

1           6. All parties shall supplement or correct their initial disclosures, expert  
2 disclosures, pretrial disclosures, and responses to discovery requests under the circumstances  
3 itemized by Fed. R. Civ. P. 26(e)(1), and when ordered by the Court. The Court expects that  
4 the parties will supplement and/or correct their disputes promptly when required under that  
5 Rule, without the need for a request from opposing counsel. In additions to the general  
6 requirements of Rule 26(e)(1), the parties shall supplement and/or correct all previously  
7 made disclosures and discovery responses 28 days before the fact discovery cutoff date.

8           7. The Court strives to render decisions in a timely manner. The Court encourages  
9 parties to advise the Court by letter to Chambers or any matter that appears to have been  
10 unduly delayed.

11 **IT IS SO ORDERED.**

12  
13 Dated: September 7, 2011

  
NATHANAEL COUSINS  
United States Magistrate Judge